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United States General Accounting Office

GAO

COMPLETED

Briefing Report to the Chairman, Subcommittee on Immigration, Refugees, and International Law, Committee on the Judiciary, House of Representatives

October 1985

ILLEGAL ALIENS

Information on Selected Countries' Employment Prohibition Laws

ORIGINAL

GAO/GGD-86-17BR

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

October 28, 1985

B-204606

The Honorable Romano L. Mazzoli
Chairman, Subcommittee on Immigration,
Refugees, and International Law
Committee on the Judiciary
House of Representatives

Dear Mr. Chairman:

This report responds to your September 12, 1985, request that we update certain information in our August 31, 1982, report Information On The Enforcement Of Laws Regarding Employment Of Aliens In Selected Countries (GAO/GGD-82-86). In our 1982 report, we described the information received from 19 countries and Hong Kong in response to our questionnaire on laws prohibiting employers from hiring illegal aliens (referred to hereafter as employer sanction laws). In addition, we visited four of these countries--Canada, France, Switzerland, and the Federal Republic of Germany--to gather more detailed information. Our 1982 report concluded that the laws in these four countries, for various reasons, were not an effective deterrent to illegal employment.

According to your office, some officials who oppose the enactment of employer sanction laws in the United States have used our 1982 report to conclude that such laws, if enacted, will not deter illegal alien employment in this country. Our report did not arrive at that conclusion. We reported that employer sanctions were not an effective deterrent to illegal employment, primarily for two reasons. First, employers either were able to evade responsibility for illegal employment or, once apprehended, were penalized too little to deter such acts. Second, the laws generally were not being effectively enforced because of strict legal constraints on investigations, noncommunication between government agencies, lack of enforcement resolve, and lack of personnel. However, a change in these conditions might have resulted in more effective employer sanctions which, in turn, might have resulted in a more effective deterrent to the employment of illegal aliens.

In your request you stated that since our 1982 report was issued, your office has received information that enforcement of employer sanction laws has improved in various countries. As a result, you requested that we survey these countries to determine their present experience. To obtain the necessary information, we developed a questionnaire which, as requested by your office, we sent to Hong Kong and the following nine countries:

Austria	Italy
Canada	Spain
Denmark	Sweden
Federal Republic of Germany	Switzerland
France	

As of October 23, 1985, Hong Kong and eight of the nine countries replied, at least in part, to the questionnaire; Switzerland had not responded.

SUMMARY

Most countries reported that employer sanction laws have helped to deter illegal alien employment. For example, five of the eight countries and Hong Kong reported that these laws were a moderate or great deterrent against illegal alien employment. This group included Germany and France which reported in 1982 that their laws were not an effective deterrent. The three countries that reported their laws were less of a deterrent (Italy, Canada, and Spain) acknowledged that various problems with the enforcement of these laws had lessened their effectiveness. Nevertheless, Hong Kong and six of the eight countries reported that if they had not enacted employer sanction laws, the problem of aliens working illegally would be greater than it is. Two countries (Italy and Canada) reported the problem would be about the same as it is.

From 1981 through September 1985, the estimated number of aliens working illegally reportedly decreased in Hong Kong and one country, remained about the same in three countries, and increased in four countries (Italy, Canada, France, and Spain). All respondents reported that little or no discrimination against citizens or legal aliens has resulted from employer sanction laws.

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We have summarized in appendices I through IX each respondent's employer sanction law and its detailed response to our questionnaire including, where available, the number and types of employers cited, the penalties levied against employers, and the reasons for more effective enforcement of its employer sanction laws. Appendix XI is a copy of our questionnaire showing the cumulative responses we received to each question.

Our discussion of each country's employer sanction law and its enforcement is based on information provided by the countries in response to our 1985 questionnaire as well as information in our 1982 report. Due to time constraints, U.S. embassy officials in the various countries administered our questionnaire by conducting structured interviews with the appropriate foreign government officials. Also because of time constraints, we did not independently examine the countries' laws or regulations. Our review was performed during the period September and October 1985.

As requested by your office, we did not obtain official comments on this briefing report from the Department of State or the governments of the countries that responded to our questionnaire. Also, as arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of the report until 30 days after its issue date. At that time, we will send copies to the Secretary of State, the Commissioner of the Immigration and Naturalization Service, and the embassies of the countries that responded to our questionnaire. Copies will be available to others upon request.

If there are any questions regarding the contents of this briefing report, call me on (202) 275-8389.

Sincerely yours,

Arnold P. Jones
Senior Associate Director

Contents

		Page
APPENDIX		
I	Austria	5
II	Canada	6
III	Denmark	7
IV	Federal Republic of Germany	8
V	France	10
VI	Hong Kong	12
VII	Italy	13
VIII	Spain	14
IX	Sweden	15
X	Letter dated September 12, 1985, from the Chairman, Subcommittee on Immigration, Refugees, and International Law, House Committee on the Judiciary	16
XI	GAO questionnaire sent to nine countries and Hong Kong	18

AUSTRIA

Austria's employer sanction law requires employers to obtain an employment authorization for all alien workers. The employment authorization is granted for a maximum of 1 year and can be extended for an additional year at the employer's request. The employment authorization is maintained by the employer as proof that the alien is employed legally. Employers found guilty of employing illegal workers can be administratively fined. The offices of the Labor Market Administration request the appropriate regional authorities to open administrative proceedings against employers suspected of employing illegal workers.

In response to our 1985 questionnaire, Austria reported that controlling and preventing aliens from working illegally was little or no problem because Austria has maintained effective control through enhanced union-employer relationships. Austria also reported that while there was never much of a problem, the estimated number of aliens working illegally has decreased even further since 1981 because the demand for manpower has decreased and can easily be met through citizens and legal aliens. Nevertheless, Austria reported that if it had not enacted employer sanction laws, the problem of aliens working illegally would be somewhat greater than it is because employers would not be subject to fines.

Austria also reported that its employer sanction law is a moderate deterrent to aliens working illegally because the fines are relatively low and have not been adjusted for 10 years. However, the following industries are still vulnerable to the employment of illegal aliens--agriculture, domestic services, and other industries without trade unions. Austria also reported that no discrimination against citizens or legal aliens has resulted from its employer sanction laws.

Consolidated information was not available on the number of employers sanctioned or the penalties levied against the employers. However, the number of employers fined is reportedly very small.

CANADA

Under Canada's employer sanction laws, employers are responsible for insuring that their employees are not working illegally. The law states that employers will require employees to produce their Social Insurance cards within 3 days after employment. When accepting an application for employment that indicates birth outside Canada, employers are expected to ask for proof of citizenship or permanent residency. If the person cannot provide a copy of his/her landing record or citizenship, then the employer is required to request written proof of authorization to work in Canada--either a written employment authorization or a special Ministerial permit.

Employers who "knowingly" employ an illegal alien worker can be fined and/or imprisoned. When a violation has occurred, the Royal Canadian Mounted Police decide whether to charge the employer. Penalties against employers are determined in a court of law.

In response to our 1985 questionnaire, Canada reported that controlling and preventing aliens from working illegally is a moderate to great problem. An estimated 55 percent of aliens illegally residing in Canada are believed to be working. The problem of aliens working illegally is difficult to control because, among other things, employers mistakenly believe that the possession of a Social Insurance card means the alien has been authorized to work. A 1981 survey of illegal immigrants showed that 36 percent of those surveyed had obtained a Social Insurance card to obtain employment.

Canada also reported that, despite an overall decline in the number of visitors to Canada, the number of aliens working illegally has increased slightly since 1981. This was attributed to the economic conditions outside of Canada which continued to attract aliens to Canada.

Furthermore, Canada reported that its enactment of employer sanction laws has had virtually no effect on the number of aliens working illegally because there were only 22 convictions in 1984. With penalties in 1984 averaging about $300 (Canadian), employers who are convicted do not appear to suffer any lasting stigma or loss of future business. Also, it is often difficult to prove beyond a reasonable doubt that employers "knowingly" have hired an alien not authorized to work. Another problem is that the Royal Canadian Mounted Police often give these cases low priority. Canada reported that little or no discrimination against citizens or legal aliens has resulted from its employer sanction law, because most employers appear to be unaware of the law. Based on a 1983 survey, most illegal aliens worked for restaurants or bars, for private citizens, or for manufacturing firms.

DENMARK

Denmark's employer sanction laws require employers to insure that aliens have work permits. Employers are further required to submit an employment contract which meets Danish standards such as for wages. The local union must approve each contract and the employers are required to fulfill the contract terms.

Employers who fail to comply with the laws governing alien workers are subject to fines and imprisonment. To be convicted, an employer must have knowingly and willingly hired an illegal alien and/or collaborated with the alien to circumvent the legal requirements. The Danish Alien Police, under the Ministry of Justice, is the primary agency responsible for administering and controlling aliens. Its efforts are supported by municipal and local police forces.

In response to our 1985 questionnaire, Denmark reported that controlling and preventing aliens from working illegally was somewhat of a problem, but the number of aliens working illegally has remained about the same since 1981. Denmark attributed this to the Danish authorities' and the trade unions' mutually beneficial understanding regarding employment of illegal workers (more than 90 percent of the Danish blue-collar workforce is unionized).

However, Denmark reported that had it not enacted employer sanction laws, the problem of aliens working illegally would be greater than it is because employers would not be subject to fines and/or imprisonment.

Denmark reported that employer sanction laws are considered a great deterrent to aliens working illegally because the maximum fines are severe enough to deter employers from hiring illegal aliens, and adequate personnel are available to enforce the laws. Little or no discrimination against citizens or legal aliens has resulted from its employer sanction laws.

Aliens working illegally are generally found in ethnic restaurants, very small cottage industries, and potato or strawberry cultivation businesses where the illegal alien workers are easiest to conceal. While information was not readily available on the number of employers sanctioned, Denmark reported that no employers have been imprisoned under the act and fines against employers for violation of the act have averaged approximately $50 (U.S.).

FEDERAL REPUBLIC OF GERMANY

Under Germany's employer sanction laws, employers are responsible for assuring that aliens hired are legal aliens and possess the proper work permits. Employers found employing illegal aliens can be administratively fined and, in certain cases, criminally prosecuted. All employers are required to maintain an employee register listing employees' names, date hired, and, if applicable, work authorization data. In cases of alien workers, employers are required to keep photocopies of the employees' work permits.

In our 1982 report we stated that the general consensus of German officials was that despite employer sanction laws, the hiring of illegal aliens was still a significant problem. These officials stated that employers have been able to evade responsibility for hiring illegal aliens and, when caught, have successfully appealed the administrative fines imposed. However, our 1982 report stated that the federal government passed new legislation effective January 1, 1982, which was intended to correct some of the shortcomings in the employer sanction laws and to improve their enforcement. This legislation (1) provided for increased penalties for employers who hire illegal workers, (2) made employers responsible for determining whether workers hired through leasing firms are legal aliens, (3) allowed greater cooperation among federal agencies that have information on illegal employment, (4) prohibited the temporary employment of manual laborers in the construction industry, and (5) made it illegal for any individual or any transportation company to bring illegal aliens into Germany.

On the basis of Germany's response to our 1985 questionnaire, it appears this 1982 legislation has had some positive effects on deterring illegal employment of aliens. Germany reported that controlling and preventing aliens from working illegally was a moderate problem (as contrasted with a significant problem in our 1982 report). The estimated number of aliens working illegally in Germany has remained about the same since 1981. Germany reported that had it not enacted employer sanction laws with fines and imprisonment severe enough, the problem of aliens working illegally would be greater than it is. Little or no employer discrimination against citizens or legal aliens has resulted from Germany's employer sanction laws.

In addition, Germany reported that it passed a law on April 26, 1985, which defines new punishable offenses for employers and lessees (subcontractors) of illegal aliens wherever such employment would have a detrimental impact on the employment market. Before this law, the enforcement of the illegal alien work laws was principally the responsibility of local police.

However, the new law makes local labor offices responsible for prosecuting illegal employment. In addition, 30 special offices, attached to local labor offices, were created to prosecute major infractions in certain industries and/or regions which require extensive investigations in coordination with other agencies. The Federal Employment Institute imposed the following number of fines on employers of illegal aliens in recent years:

1982	3,179
1983	3,741
1984	4,008

Illegal aliens were primarily employed in small and medium-sized construction firms, the hotel and restaurant business, and bars.

FRANCE

Under France's employer sanction laws, employers are responsible for assuring that alien employees are legal workers and are treated in compliance with applicable work laws. Within 24 hours of employing aliens, employers are required to record on a special register maintained in their office, data contained on the employees' work and residency permits. Employers who violate the laws governing alien workers are subject to fines and imprisonment. In January 1982 a new law was enacted which, among other things, allows the National Immigration Office to confiscate the employer's tools and equipment. The laws pertaining to illegal alien workers are enforced by several different agencies including national and local police, labor inspectors, and agricultural inspectors. Employer sanctions are applied both administratively and judicially. Most employers administratively fined are also referred to the federal prosecutors for possible separate criminal action.

In response to our 1985 questionnaire, France reported that controlling and preventing aliens from working illegally is a great problem. Due to a high level of unemployment in neighboring countries, aliens often come to France seeking employment. Most aliens cross the border from Italy, Spain, Portugal, and North Africa. The estimated number of aliens working illegally has increased since 1981 because it is cheaper for employers to hire illegal immigrants to fulfill short-term labor needs. In addition, illegal employment has increased because it is now more difficult for legal aliens to obtain or renew work permits.

France reported that its employer sanction law is a moderate deterrent to illegal alien employment and that, in the absence of such a law, the problem of aliens working illegally would be greater than it is. France attributed the deterrent effect of its employer sanction law to (1) penalties that are severe enough to deter employers from hiring illegal aliens and (2) adequate personnel to enforce the law. France also reported that its employer sanction law has not resulted in discrimination against citizens or legal aliens.

Since 1981, France's law has been changed to increase the maximum amount of the fine for hiring an illegal alien to a current level of about $3,800 per person (U.S. dollars based on foreign exchange rate as of October 23, 1985). In addition, since 1981, France has hired additional policemen, 55 inspectors and one judge to help enforce the laws. As a result, more illegal workers have been discovered and the number of employers who received administrative penalties has increased in recent years (1,083 in 1982; 2,266 in 1983; and 2,519 in 1984). About 66 percent of the offenders had 10 employees or fewer. Most

illegal employment has occurred in the following industries: construction, restaurant, and agriculture.

HONG KONG

Under Hong Kong's employer sanction laws, employers are required to enter into an agreement to repatriate an alien employee at the end of the employment contract. The salary and allowances offered to the alien are carefully watched to make sure that employers are not bringing in cheap labor. Employers must inspect every applicant's identity papers. Hiring illegal aliens can subject an employer to fines and imprisonment. Law enforcement responsibility rests with the Immigration Department, which is supported by local police and the Labor Department. The police conduct identity checks and provide general support in large, joint operations.

In response to our 1985 questionnaire, Hong Kong reported that controlling and preventing aliens from working illegally was little or no problem for the following reasons:

--effective control of borders to prevent influx of illegal immigrants,

--laws that prohibit employment of illegal immigrants,

--general public support of these laws, and

--effective enforcement by immigration and labor department officers.

Hong Kong reported that the estimated number of aliens working illegally has decreased since 1981. It also reported that if Hong Kong had not enacted employer sanction laws, the problem of aliens working illegally would be greater than it is because of the financial incentives that exist for employers to hire cheap alien labor.

The various government agencies that may obtain information on the illegal employment of aliens are encouraged to share this information with the appropriate law enforcement authorities. For example, Hong Kong's 220 labor inspectors check employees' records during normal visits to factories to determine whether employers are complying with the labor laws and to report violations to the Immigration Department.

Hong Kong also reported that little or no employer discrimination against citizens or legal aliens has resulted from their employer sanction laws. They attributed this to citizens and legal residents of Hong Kong having the ethnic, language, and cultural background of the illegal immigrant. Information was not available on the number of employers sanctioned or the penalties levied against the employers. However, the following industries generally employ the most illegal aliens--restaurant, construction, and manufacturers that employ unskilled labor.

ITALY

Under Italy's employer sanction laws, aliens seeking employment in Italy must obtain an entry visa from police. Before the entry visa can be issued, prospective employers must first obtain a work permit from the Provincial Labor and Full Employment Offices. The employer then submits the work permit along with a request for an entry visa to the police. Employers hiring workers without a work permit can be fined. In addition, upon the employee's separation, the employer must notify the police of the alien's new destination within 24 hours of the alien's departure. Employers who fail to comply are subject to fines and imprisonment. Labor Inspectorate officials are authorized to enforce all labor laws.

In response to our 1985 questionnaire, Italy reported that controlling and preventing aliens from working illegally was a great problem for many reasons including the lack of adequate immigration laws and recent immigration from such countries as the Phillipines and North Africa. Italy reported that the estimated number of aliens working illegally has greatly increased since 1981 (from 300,000 to 600,000) because aliens (1) can easily enter Italy as tourists with the intent and purpose to find work illegally and (2) aliens hold jobs which Italians will not accept, such as household jobs, seasonal agriculture work, and jobs in restaurants, cottage industries, and hotels.

In addition, Italy reported that if it had not enacted employer sanction laws, the problem of aliens working illegally would be about the same because the fines are modest and many employers look upon the fines as just a business expense. Moreover, the chances that employers will be caught are very limited because of the insufficient number of labor inspectors who enforce the law.

Judicial proceedings only result when an alien working illegally brings suit against an employer who has violated Italian labor laws. Italian officials also reported that no discrimination against citizens or legal aliens has resulted from employer sanction laws.

SPAIN

Under Spain's employer sanction laws, employers are responsible for verifying the legal status of an alien seeking employment. If an alien does not have a work permit, the employer is obligated to obtain one before hiring the alien. Employers who hire illegal aliens can be fined by the Labor Inspection Office. In addition, when an alien's employment is terminated, the employer must notify the Ministry of Labor and the social security office so that the alien's file can be closed.

In response to our 1985 questionnaire, Spain reported that controlling and preventing aliens from working illegally is a great problem because the unemployment rate in Spain is among the highest in Western Europe. Therefore, filling available jobs with illegal aliens instead of Spaniards or resident aliens places a great burden upon the country's limited welfare system. In addition, Spain reported that the estimated number of aliens working illegally has increased since 1981 due to a recent wave of illegal alien immigrants from Northern Africa. However, Spain reported that if it had not enacted employer sanction laws the problem of aliens working illegally would be greater than it is because without these laws there would be very little deterrent to employers hiring illegal aliens.

Before the enactment of new legislation in July 1985, Spain's employer sanction laws had some deterrent effect but were not severe enough to effectively deter the practice of employing illegal aliens. The new legislation, among other things, greatly increases the fines against employers of illegal aliens and permits an alien working illegally to be expelled from Spain. Although it is too early to determine the effects of the law, the high unemployment rate in Spain has resulted in increased enforcement of existing laws. For example, the amount of fines against employers of illegal aliens has nearly doubled since 1981. Spain also reported that the primary industries employing illegal aliens are construction and service industries. Most illegal employment occurs in the service industries, such as hotels, stores, and restaurants. Small businesses are the principal employer of illegal aliens.

Spain reported that little or no discrimination against citizens or legal aliens has resulted from its employer sanction laws because employers can quickly establish an applicant's identity and right to work by checking the applicant's national identity card or resident card. Spain's use of residency documentation has not resulted in a large-scale problem of fraudulent documentation.

SWEDEN

Sweden did not respond to our question about changes to its law since 1981. However, according to the information in our 1982 report, Sweden's employer sanction laws require employers to keep continuously informed as to whether the aliens have valid work permits. Employers are also required to notify the police in writing when aliens take or leave employment. Employers who hire aliens without work permits or who neglect to send the police the required notification can be fined or, in grave cases, imprisoned. Fines or imprisonment are imposed by a court of law. However, in certain cases, fines can be imposed by the public prosecutor. Enforcing laws is primarily the responsibility of the local police.

In response to our 1985 questionnaire, Sweden reported that controlling and preventing aliens from working illegally was little or no problem because the organized nature of Swedish society makes illegal employment relatively difficult. The number of aliens working illegally in Sweden has remained about the same since 1981. Nevertheless, if Sweden had not enacted employer sanction laws, the problem of aliens working illegally would be greater than it is because there would be less of a deterrent for employers to hire illegal aliens.

Employer sanction laws are considered a moderate deterrent to aliens working illegally because (1) Swedish employers are generally willing to obey the law, (2) the penalties for violating the laws are severe enough to deter employers from hiring illegal aliens, and (3) various government agencies that may obtain information on possible violators are encouraged to share this information with the appropriate law enforcement authorities.

Sweden also reported that little or no discrimination against citizens or legal aliens has resulted from its employer sanction laws because the organization of Swedish society and the issuance of identification numbers make it very easy to check a job applicant's legal status.

APPENDIX X

NINETY-NINTH CONGRESS

PETER W RODINO JR. NEW JERSEY CHAIRMAN

JACK BROOKS TEXAS
ROBERT W KASTENMEIER WISCONSIN
DON EDWARDS CALIFORNIA
JOHN CONYERS JR MICHIGAN
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MIKE SYNAR OKLAHOMA
PATRICIA SCHROEDER COLORADO
DAN GLICKMAN KANSAS
BARNEY FRANK MASSACHUSETTS
GEO W CROCKETT JR MICHIGAN
CHARLES E SCHUMER NEW YORK
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EDWARD F FEIGHAN OHIO
LAWRENCE J SMITH FLORIDA
HOWARD L BERMAN CALIFORNIA
FREDERICK C BOUCHER VIRGINIA
HARLEY O STAGGERS JR. WEST VIRGINIA
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HAMILTON FISH JR NEW YORK
CARLOS J MOORHEAD CALIFORNIA
HENRY J HYDE ILLINOIS
THOMAS N KINDNESS OHIO
DAN LUNGREN CALIFORNIA
F JAMES SENSENBRENNER JR WISCONSIN
BILL McCOLLUM FLORIDA
E CLAY SHAW JR FLORIDA
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U.S. House of Representatives
Committee on the Judiciary
Washington, DC 20515
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September 12, 1985

Mr. Charles A. Bowsher
Comptroller General
General Accounting Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Bowsher:

I refer to your report GAO/GGD 82-86 dated August 31, 1982, entitled "Information on the Enforcement of Laws regarding Employment of Aliens in Selected Countries."

Since the issuance of that report, we have received certain information that enforcement efforts to impose sanctions against the employment of undocumented aliens in the foreign jurisdictions surveyed have improved. Your report concluded that the employer sanction laws in the countries surveyed were not effective because they were easily evaded by employers, the penalties were not sufficiently onerous to guilty employers, and more importantly, there was a lack of resolve and enforcement resources to promote serious enforcement.

As you are aware, my Subcommittee is presently legislatively processing H.R. 3080, the Immigration Control and Legalization Amendments Act of 1985, which has as one of its major provisions, the imposition of sanctions against employers of undocumented aliens.

To assist the Subcommittee in its task to have this bill reach the Floor as quickly as possible, I would appreciate your updating the information contained in the 1982 report reflecting the present experience of these governments in enforcing their sanctions laws. I am especially interested in the number and types of employers cited, penalties levied against the employers, the reasons for more effective enforcement, if that is the case, whether there are indications that illegal alien entry or presence has decreased and any recommendations which we may adopt in our bill based on the experiences of the countries surveyed.

Since we are under time constraints, I would be grateful if you could furnish me with a letter report, in lieu of your usual blue-covered one, within forty-five days.

APPENDIX X

Should you develop information on additional countries to those contained in your original report, I would also appreciate receiving this information.

If there is anything I can do to help you in complying with this request, I will be happy to do so.

Thank you for your cooperation.

Sincerely,

ROMANO L. MAZZOLI
Chairman
Subcommittee on Immigration,
Refugees, and International Law

RLM:prj

Any help here will be much appreciated by me and my subcommittee colleagues-

BEST COPY AVAILABLE

PART A

U.S. GENERAL ACCOUNTING OFFICE QUESTIONNAIRE
WASHINGTON, D.C.

SURVEY OF LAWS THAT FOREIGN COUNTRIES HAVE ENACTED

PROHIBITING EMPLOYMENT OF ILLEGAL ALIENS[1]

INSTRUCTIONS

The U.S. General Accounting Office (GAO)--at the request of the Congress--is surveying foreign countries that have enacted laws prohibiting the illegal employment of aliens.

In Part A, please read (or translate, if necessary) the questions to the respondent, omitting the instructions which are in CAPS.

If you have any problems or questions on how to administer this questionnaire, please call Alan Stapleton at GAO in Washington D.C. at (202)633-1559.

INTRODUCTION (TO BE READ ALOUD BY INTERVIEWER)

Governments have used many measures to combat the problems created by undocumented workers, that is aliens working illegally in a country. We are particularly interested in one approach to the situation--the use of sanctions against employers who hire illegal aliens.

We understand that your government has enacted laws which hold employers responsible for hiring alien workers illegally and provide penalties for employers who violate these laws.

As an official with knowledge and experience in this case, we are interested in your opinion on the effectiveness of employer sanctions in helping to alleviate the problems created by aliens working illegally.

1. In your opinion, how much of a problem, if any, is there in your country in controlling and preventing aliens from working illegally? (READ AND CHECK ONE.)

		Responses
1. ☐	Very great problem	
2. ☐	Great problem	(3)
3. ☐	Moderate problem	(2)
4. ☐	Some problem	(1)
5. ☐	Little or no problem	(3)

2. Why do you say that? (BRIEFLY SUMMARIZE RESPONDENT'S ANSWER.)

3. In your opinion, has the estimated number of aliens working illegally in your country increased, decreased, or remained about the same since 1981? (READ AND CHECK ONE.)

		Responses
1. ☐	Greatly increased	(1)
2. ☐	Increased	(3)
3. ☐	Remained about the same	(3)
4. ☐	Decreased	(2)
5. ☐	Greatly Decreased	
6. ☐	Don't know	

4. Why do you think this is so? (BRIEFLY SUMMARIZE THE RESPONDENT'S ANSWER.)

5. In your opinion, if your country had not enacted employer sanction laws, do you think the problem of aliens working illegally would be greater, less, or about the same compared to the way it is today? (READ AND CHECK ONE.)

		Responses
1. ☐	Much greater	
2. ☐	Greater	(7)
3. ☐	About the same	(2)
4. ☐	Less	
5. ☐	Much less	
6. ☐	Don't know	

6. Why do you think that? (BRIEFLY SUMMARIZE THE RESPONDENT'S ANSWER.)

[1] The number of responses to some questions may add to more than the total number of respondents because some selected more than one answer.

APPENDIX XI

PART A (continued)

7. In your opinion, how great a deterrent, if any, are your country's laws against illegal alien employment? (READ AND CHECK ONE.)

Responses

	1. ☐	Very great deterrent	(Continue to Question 8)
(3)	2. ☐	Great deterrent	
(3)	3. ☐	Moderate deterrent	
(1)	4. ☐	Some deterrent	(Skip to Question 9)
(2)	5. ☐	Little or no deterrent	

INSTRUCTIONS FOR INTERVIEWER: IF RESPONDENT ANSWERS QUESTION 7 IN BLOCKS 1, 2, OR 3, CONTINUE TO QUESTION 8. OTHERWISE, SKIP TO QUESTION 9. DO NOT READ ALOUD THE POSSIBLE RESPONSES. LISTEN TO THE RESPONDENT'S ANSWER AND THEN YOU CHECK THE APPROPRIATE BOX OR BOXES. CHECK ONLY THE MOST IMPORTANT REASONS GIVEN BY THE RESPONDENT.)

8. Why do you say that? (CHECK ALL THAT APPLY.)

Responses

(5)	1. ☐	The penalties for violating our employer sanction laws are severe enough to deter employers from hiring illegal aliens
(3)	2. ☐	Adequate personnel are available to strictly enforce the laws
	3. ☐	Judges view illegal employment as a serious offense and, therefore, the severe penalties they impose are a deterrent to employers
(2)	4. ☐	Various government agencies that may obtain information on possible violators are encouraged to share this information with the appropriate law enforcement authorities
	5. ☐	Our laws do not enable employers to protect themselves from prosecution by leasing or contracting for workers
	6. ☐	Other (please specify)

_____

_____

9. Why do you say that? (CHECK ALL THAT APPLY.)

Responses

(3)	1. ☐	The maximum penalties for violating our employer sanction laws are not severe enough to deter employers from hiring illegal aliens
(1)	2. ☐	A lack of adequate personnel to enforce the laws
(1)	3. ☐	Judges generally do not view illegal employment as a serious offense and, therefore, the penalites they impose are no deterrent to employer
(1)	4. ☐	A reluctance by various government agencies to share information on possible violators has inhibited enforcement
(1)	5. ☐	Employers have been able to circumvent the laws against illegal hirings by leasing or contracting for workers
(1)	6. ☐	Other (please specify)

Police give illegal alien employment cases low priority.

10. In your opinion, has employer discrimination against citizens or legal aliens resulted from your country's laws prohibiting illegal alien employment? (READ AND CHECK ONE)[2]

	1. ☐	No
	2. ☐	Probably no
	3. ☐	Undecided
	4. ☐	Probably yes
	5. ☐	Yes

(Skip to Question 13)

(Continue to Question 11)

[2] See question 11 for responses on discrimination question.

APPENDIX XI

PART A (continued)

INTERVIEWER'S NOTES

11. In your opinion, how much employer discrimination, if any, against citizens or legal aliens has resulted from your country's laws prohibiting illegal alien employment? (READ AND CHECK ONE.)

Responses

1. ☐ Very great discrimination
2. ☐ Great discrimination
3. ☐ Moderate discrimination
4. ☐ Some discrimination

(9) 5. ☐ Little or no discrimination

6. ☐ Don't know

12. Why do you say that? (BRIEFLY SUMMARIZE THE RESPONDENT'S ANSWER.)

13. Name, title, and telephone number of State Department employee who prepared written responses.

Name: _____

Title: _____

Phone: _____

14. Name, organization, and telephone number of principal host government employee(s) who provided the above information.

Name: _____

Organization: _____

Phone: _____

THANK YOU FOR YOUR HELP!

APPENDIX XI

PART B

U.S. GENERAL ACCOUNTING OFFICE QUESTIONNAIRE
WASHINGTON, D.C.

SURVEY OF LAWS THAT FOREIGN COUNTRIES HAVE ENACTED

PROHIBITING ILLEGAL EMPLOYMENT OF ALIENS

1. Briefly describe what changes, if any, have been made since 1981 to your country's laws prohibiting aliens from working illegally?

2. What has been the effect of these changes in your laws?

3. Briefly describe what changes, if any, have been made since 1981 in your country's enforcement of laws prohibiting aliens from working illegally?

4. What has been the effect of these changes in the enforcement of your laws?

5. Please provide below the following statistical information, on the enforcement of your country's employer sanctions laws for each of the following years. (IF NONE, ENTER "0".)

	1982	1983	1984
1. The number of employers who received administrative penalties for illegally hiring alien workers			
2. The number of employers prosecuted in a court of law			
3. The number of employers convicted by a court			
4. The number of employers imprisoned			
5. The average length of the sentence			
6. The number of employers fined			
7. The average amount of the the fine			

6. Which industries (for example, construction or agriculture) generally employ the most aliens illegally? (Please specify)

1. _____

2. _____

3. _____

IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH ANOTHER SHEET OF PAPER.

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